

to pay the displacement costs of those adversely affected by the Federal government's exercise of eminent domain). Also incorporates into the bill's Sense of Congress section some language provided by the Resources Committee regarding the effect of the abuse of eminent domain on irrigation and reclamation projects, and on public lands; **Pages H9590-91**

Sodrel amendment (No. 4 printed in H. Rept. 109-266) which clarifies that in any proceeding to prevent or remedy a taking, that the burden is on the state or agency to show that it is not for economic development as defined in the Act. Also requires a heightened standard of proof—clear and convincing—that the use fits one of the exceptions to economic development as defined in the Act;

Page H9592

Miller of California amendment (No. 7 printed in H. Rept. 109-266) which adds language to specify that the term economic development in the bill does not include the redevelopment of brownfield sites. Uses the definition of brownfield site included in the Small Business Liability Relief and Brownfield Revitalization Act;

Pages H9595-97

Gingrey amendment (No. 8 printed in H. Rept. 109-266) which adds a new section to prohibit a State or political subdivision of a State from the exercise of eminent domain over the property of a religious or other nonprofit organization by reason of the nonprofit or tax-exempt status of such organization if that State or political subdivision received Federal economic development funds during any fiscal year in which it does so. This amendment also places the same prohibition on the Federal government. A violation of this provision will render the State or political subdivision ineligible to receive Federal economic development funds for a period of 2 fiscal years;

Pages H9597-98

Cuellar amendment (No. 9 printed in H. Rept. 109-266) which ensures that all Federal agencies review their regulations and procedures for compliance with this Act. It requires a report to the Attorney General; and

Pages H9598-99

Jackson-Lee of Texas amendment (No. 10 printed in H. Rept. 109-266) that expresses the legislative intent to protect from the taking by the Federal government for economic development or for private use of the property owned, either by assignment, intestate succession, or by record, by survivors of Hurricane Katrina.

Pages H9599-H9600

Rejected:

Nadler amendment (No. 2 printed in H. Rept. 109-266) that sought to allow a property owner to go to court before the property is taken in order to obtain declaratory or injunctive relief if the taking violates the Act. The bill currently only allows a property owner to obtain a preliminary injunction or

temporary restraining order, and does not allow the property owner to bring an action until after the conclusion of the condemnation proceedings. The amendment would also strike the penalties portion of the bill, (by a recorded vote of 63 ayes to 355 noes, Roll No. 564);

Pages H9591-92, H9601-02

Moran of Virginia amendment (No. 5 printed in H. Rept. 109-266) which sought to clarify the property conveyance for the definition of "economic development," specifies that increasing tax revenue must be the "primary purpose" of the taking authority, and sets a hard date of seven years that property holders can bring action against the taking authority. Also makes a number of technical corrections, (by a recorded vote of 49 ayes to 368 noes, Roll No. 565);

Pages H9592-94, H9602

Turner amendment (No. 6 printed in H. Rept. 109-266) that sought to enumerate several harmful uses of land which constitute a threat to public health and safety (i.e. dilapidation, obsolescence, overcrowding, lack of ventilation, light, and sanitary facilities, excessive land coverage, deleterious land use, obsolete subdivisions or constitutes a brownfield), (by a recorded vote of 56 ayes to 357 noes, Roll No. 566); and

Pages H9594-95, H9602-03

Watt amendment (No. 11 printed in H. Rept. 109-266) that sought to delete all sections of the bill and retains only the sense of Congress recognizing the importance of property rights and that in the aftermath of the Kelo decision that abuses of eminent domain power may occur, (by a recorded vote of 44 ayes to 371 noes, Roll No. 567).

Pages H9600-01, H9603-04

The amendment in the nature of a substitute, as amended, was adopted.

Page H9604

H. Res. 527, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 401 yeas to 11 nays, Roll No. 563, after agreeing to order the previous question without objection.

Pages H9560-62, H9568

Senate Message: Message received from the Senate today appears on page H9569.

Quorum Calls—Votes: Three yea-and-nay votes and 4 recorded votes developed during the proceedings of today and appear on pages H9567, H9568, H9601-02, H9602, H9602-03, H9603-04, and H9604. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:19 p.m.

Committee Meetings

YOUR TROOPS: THEIR STORY

Committee on Armed Services: Held a hearing on Your Troops: Their Story. Testimony was heard from the

following officials of the Department of Defense: BG John F. Kelly, USMC, Legislative Assistant to the Commandant, U.S. Marine Corps; COL Robert Abrams, USA, Chief of Staff, 1st Cavalry Division and CSM Neil Citola, USA, III Corps.

RADICAL ISLAM—UNDERSTANDING ASPIRATIONS

Committee on Armed Services: Terrorism and Radical Islam Gap Panel held a hearing on Understanding Aspirations of Radical Islam: Why Mainstream Islam is Radically Different. Testimony was heard from public witnesses.

DEFICIT REDUCTION ACT OF 2005

Committee on the Budget: Ordered reported the Deficit Reduction Act of 2005.

DATA ACCOUNTABILITY AND TRUST ACT

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection approved for full Committee action, as amended, H.R. 4127, Data Accountability and Trust Act.

TSA's REGISTERED TRAVELER PROGRAM

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, Cybersecurity held a hearing entitled "The Future of TSA's Registered Traveler Program." Testimony was heard from Kip Hawley, Assistant Secretary, Transportation Security Administration, Department of Homeland Security; and public witnesses.

BRIEFING—PORTABLE ELECTRONIC DEVICES AND CYBER SYSTEMS SECURITY VULNERABILITIES

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity and the Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment met in executive session to receive a joint briefing on the security vulnerabilities of portable electronic devices and U.S. government cyber systems. The Subcommittees were briefed by departmental witnesses.

BIOSCIENCE AND THE INTELLIGENCE COMMUNITY

Committee on Homeland Security: Subcommittee on Prevention of Nuclear and Biological Attack held a hearing entitled "Bioscience and the Intelligence Community." Testimony was heard from public witnesses.

DIGITAL AGE—CONTENT PROTECTION

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property, held an oversight hearing entitled "Content Protection in the

Digital Age: The Broadcast Flag, High-Definition Radio, and the Analog Hole." Testimony was heard from Dan Glickman, Chairman and CEO, Motion Picture Association of America; Mitch Bainwol, Chairman and CEO, Recording Industry Association of America; and public witnesses.

METHAMPHETAMINE EPIDEMIC ELIMINATION ACT; SECOND CHANCE ACT OF 2005

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security approved for full Committee action H.R. 3889, Methamphetamine Epidemic Elimination Act.

The Subcommittee also held a hearing on H.R. 1704, Second Chance Act of 2005. Testimony was heard from Representatives Cannon, Davis of Illinois and Jones of Ohio; Robert L. Ehrlich, Jr., Governor, State of Maryland.

OFFENDER RE-ENTRY

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held an oversight hearing entitled "Offender Re-entry: What is Needed to Provide Offenders with a Real Second Chance? Testimony was heard from David Hagy, Deputy Assistant Attorney General, Office of Justice Programs, Department of Justice; Arthur Wallenstein, Director, Department of Correction and Rehabilitation, Montgomery County, State of Maryland; and public witnesses.

OVERSIGHT—INVASIVE ASIAN CARP

Committee on Resources: Subcommittee on Fisheries and Oceans held an oversight hearing on the Growing Problem of Invasive Asian Carp in the Great Lakes and Mississippi River System. Testimony was heard from Representative Kennedy of Minnesota; Everett Wilson, Deputy Assistant Director, Fisheries and Habitat Conservation, U.S. Fish and Wildlife Service, Department of the Interior; and public witnesses.

FEDERAL AND DISTRICT OF COLUMBIA GOVERNMENT REAL PROPERTY ACT OF 2005

Committee on Resources: Subcommittee on National Parks held a hearing on H.R. 3699, Federal and District of Columbia Government Real Property Act of 2005. Testimony was heard from Delegate Norton; Paul Hoffman, Deputy Assistant Secretary, Fish and Wildlife and Parks, Department of the Interior; and Anthony A. Williams, Mayor, District of Columbia.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Water and Power held a hearing on the following bills: H.R.

1190, San Diego Water Storage and Efficiency Act of 2005; H.R. 2563, To authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages within the Snake, Boise, and Payette River systems in Idaho; and H.R. 3153, Upper Colorado and San Juan River Basin Endangered Fish Recovery Implementation Programs Reauthorization Act of 2005. Testimony was heard from Representative Otter; William Rinne, Deputy Commissioner, Director of Operations, Bureau of Reclamation, Department of the Interior; Tom Blickensderfer, Endangered Species Program Director, Department of Natural Resources, State of Colorado; and a public witness.

CONFERENCE REPORT—FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2006

Committee on Ways and Means: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 3057, Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Representative Kolbe.

NASA'S PROGRAMS STATUS

Committee on Science: Held a hearing on Status of NASA's Programs. Testimony was heard from Michael D. Griffin, Administrator, NASA.

HURRICANE KATRINA—RESPONSE PROPOSALS

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings and Emergency Management held a hearing on proposals in response to Hurricane Katrina. Testimony was heard from Representatives Kennedy of Rhode Island, Kolbe, Platts, Blumenauer, Schmidt, Foley, Lantos, Shays, Jindal and Pickering.

OVERSIGHT—VBA'S ANNUAL BUDGET REQUEST

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs held an oversight hearing on the development of the Veterans Benefits Administrations' annual budget request. Testimony was heard from Daniel L. Cooper, Under Secretary, Benefits, Veterans Benefits Administration, Department of Veterans Affairs.

REVIEW—CREDIT UNION TAX EXEMPTION

Committee on Ways and Means: Held a hearing on Review of Credit Union Tax Exemption. Testimony

was heard from JoAnn Johnson, Chairman, National Credit Union Administration; Steven T. Miller, Commissioner, Tax-Exempt and Government Entities Division, IRS, Department of the Treasury; Richard J. Hillman, Management Director, Financial Markets and Community Investment, GAO; former Representative Norman E. D'Amours, State of New Hampshire, and former Chairman, National Credit Union Administration; and public witnesses.

UNITED STATES-BAHRAIN FREE TRADE AGREEMENT IMPLEMENTATION ACT

Committee on Ways and Means: Approved the draft implementing proposal on the United States-Bahrain Free Trade Agreement Implementation Act.

BRIEFING—GLOBAL UPDATES/HOTSPOTS

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Global Updates/Hotspots. The Committee was briefed by departmental witnesses.

Joint Meetings

ECONOMIC OUTLOOK

Joint Economic Committee: Committee concluded a hearing to examine the current economic outlook, after receiving testimony from Alan Greenspan, Chairman, Board of Governors of the Federal Reserve System.

APPROPRIATIONS: SCIENCE/STATE/ JUSTICE/COMMERCE

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 2862, making appropriations for the Departments of Commerce and Justice, Science, and related agencies, for the fiscal year ending September 30, 2006, but did not complete action thereon, and will meet again on Friday, November 4, 2005.

COMMITTEE MEETINGS FOR FRIDAY, NOVEMBER 4, 2005

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Armed Services, Regional Powers Panel, hearing on U.S. response to regional powers and inter-agency planning capabilities, 1 p.m., 2118 Rayburn.

Committee on Government Reform, hearing entitled "The National Pandemic Influenza Preparedness and Response Plan: Is the U.S. Ready for Avian Flu?" 10 a.m., 2154 Rayburn.